

Case Filed
Original For the
Judge

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

UNKNOWN Division

Case No.

(to be filled in by the Clerk's Office)

Charles Aaron Brooks

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

CHARLES E. SAMUEL JR., MR. H. QUAY, MR. RADAMEL,
MR. HALL, MR. RAKOWSKI, MR. MAGYAR, DR.
DAVID BAIL, MR. EDWARDS

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

FILED
SCRANTON

JUN 08 2020

Per

DEPUTY CLERK

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

05/18/2020

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Charles Aaron Brooks
 All other names by which you have been known: N/A
N/A
 ID Number 49230-066
 Current Institution Allegheny Penitentiary
 Address P.O. Box 2000
White Deer Pa 17387
 City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Charles E. Samuel Jr.
 Job or Title (if known) Federal Bureau of Prisons Director
 Shield Number unknown
 Employer Federal Bureau of Prison Director
 Address 320 First Street N.W.
Washington DC 20534
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name Mr. H. Quay
 Job or Title (if known) Complex Warden
 Shield Number Unknown
 Employer Federal Bureau of Prisons
 Address P.O. Box 3000
White Deer Pa 17887
 City State Zip Code
☒ Individual capacity ☒ Official capacity

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Defendant No. 3

Name MR. RADAMEL
 Job or Title (if known) UNIT MANAGER
 Shield Number N/A
 Employer Federal Bureau of Prisons
 Address P.O. Box 3000
White Deer Pa 17887
City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 4

Name MR. HALL
 Job or Title (if known) Complex Captain
 Shield Number N/A
 Employer Federal Bureau of Prisons
 Address P.O. Box 3000
White Deer Pa 17887
City State Zip Code
☒ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☒ Federal officials (a *Bivens* claim) Jury trial requested
☐ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

N/A

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Plaintiff First, Fifth, Eighth, Fourteenth
Amendment Right of United States Constitution were violated.
violation of constitution of the Commonwealth of Pennsylvania Article I, section 2,
3, 4, 7, 13 and 17. Violating Continuing Violation Doctrine, (which defendants
are in conflict with Federal Bureau of Prisons Program Statements
28 CFR, DOJ Regulations)

ATTACH Additional pages if needed.

The Parties to This Complaint

Defendant No. 5

Name: MR. RAKOWSKI

Job (or) Title Lieutenant

Shield Number UNKNOWN

Employer Federal Bureau of Prisons

Address P.O. Box 3000

White Deer, Pa 17887

~~sued individual capacity~~ ☒ ~~individual capacity~~ ☒

Defendant No. 6

Name: MR. MAYAR

Job (or) Title Assistant Hospital Supervisor Administrator

Shield Number UNKNOWN

Employer Federal Bureau of Prisons

Address P.O. Box 3000

White Deer, Pa 17887

~~sued individual capacity~~ ☒ ~~official capacity~~ ☒

Defendant No. 7

Name: DR. DAVID BALL

Job (or) Title MEDICAL DOCTOR

Shield Number UNKNOWN

Employer Federal Bureau of Prisons

Address P.O. Box 3000

White Deer, Pa 17887

~~sued individual capacity~~ ☒ ~~official capacity~~ ☒

Defendant No. 8

Name: J. Edwards

Job (or) Title FBO Employee

Shield Number UNKNOWN

Employer Federal Bureau of Prisons

Address P.O. Box 3000

White Deer, Pa 17887

~~sued individual capacity~~ ☒ ~~official capacity~~ ☒

ATTACH Additional Defendants

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia," 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☒ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

N/A

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

1) At all time relevant to this case, plaintiff MR. CHARLES AARON BROOKS resided at ALLENWOOD Penitentiary. Defendants Retaliation:

2) On October 23, 2018, approximately MR. Radamel called MR. BROOKS (plaintiff) into his office on I-B unit office to speak to MR. CHARLES E. SAMUEL JR. by phone. While MR. Radamel

STATEMENT OF CLAIM

Hold up Civil Actions 15-3676, 15-3677, 3: cv-16-2386, 17-cv3715 to prevent you from Filing more Civil Actions Against MR. Samuel JR, Federal Bureau of Prison employees.

3.) To prevent you from Filing grievances, Complaints to OIG, IAD I have personally Freeze your Trust Fund account For near four years now, we will Freeze it For Another 10 yrs IF you dont Sign this Contract with MR. Radamel to take.

4.) 10% percent of your Job was every three month, Since Freeze your Account For years this will stop you, as you cant purchase hygienic items, U.S. post stamps, paper, pens, pencil, Copy cards, nor a single Envelops

5.) So you could not even write a letter, or Communicate with the Court it Cause a denial of Accessive to the Court, denied you right to Communicate with your Attorney. Signature to withdraw you grievance Against bus contravene.

6.) I informed All medical department employees to deny you Fair medical treatment, surgery, pain medication, examinations, IF you refuse to sign Contract now, order to place your old retard muslim age in shu units and my

7.) Will beat your ass I'm willing today to unfreeze you Account IF you promise to stop trying to sue me, and stop helping prisoner file grievances Against me. I will impose a specific schedule of payment of 10% be collected From your Job wage every three month/or incoming money

8.) IF you Attempt to File you'll regret it I promise if you Found helping any inmates doing legal work we will place you in solitary confinement, seizure your mattress, legal materials, not transfer to medical facility

9.) IF you refuse to sign Contract between you and MR. Radamel you'll regret it we hate old mentally ill muslims IF it was me I would renounce islam and become a Christian Like MR. Magyar said we hate terror Homosexuals. said MR. Charles E. Samuel JR (Telephonically)

10.) MR. Radamel said "MR. Brooks I'm the fucking unit manager I will put your ASS on the top bunk-top tier I dont care if you need knee replacement surgery and your medical records tell me not to, I will put your Cripple ass on Freeze and Circumbrance your Funds for 10 yrs we dont.

11.) let former gang leader from Black Guerrilla Family, Sunni muslim like you I will tell muslim and BGF members here at Allenwood Prison that your a Government Informant (snitch), said a child molester.

12.) I'm telling you MR. Brooks they will Kill you, IF they know your a Gang Drop, so its your best interest to sign Special Contract even though you did not sign Contract to pay PLRA contract in 7th Circuit case 15-3676, and 15-3677 I will take you money any way if you refuse to sign Contract I

13.) will say you threaten me, by saying you'll Kill me" said MR. Radamel so I sign a Contract. Only to Learned MR. Radamel taking more then half my Job wages Every month. PLAINTIFF

14.) Attempted to File Civil Action for MR. Radamel, MR. Charles E. Samuel JR

Violating Contract Clause, Taking Clause, Excessive Fine Clause, Conversion, Just Compensation Clause, we have trash your civil Actions you gave me legal address to the Federal Court so what we are violating is 42 USC 3572(a)(2). IF you attempt to File Again About this matter we will Freeze your ass for smore yes its up to you MR. Brooks MR. Radamel said.

- 16) MR. Remedial said "I will take Fund money Months so you can pay not a portion of Filing Fee's to shut your mouth, MR. Samuel Jr.'s tiered of your grievance's, complaints to OIG, IAD, DOJ. ~~Free~~ speech cause this MR. Brooks shut you fucking mouth, stop Filing ~~was~~ were you boy."
- 17) Plaintiff engaged in protected conduct at all time relevant, an defendants adverse action was taken against the plaintiff that would deter plaintiff of ordinary firmness from continuing to engage in that conduct.
- 18) plaintiff admit there is a casual connection between element one and two - ~~above~~ statement that is, the adverse action was motivated at least in part by the plaintiff's protected conduct. Defendants deny plaintiff interest in Freeze Fund that defendant interest for years.
- 19) Defendants to punish plaintiff denied knee replacement surgery for 4 yrs approximately denied prostheses thus cause plaintiff to fall over 5 different time suffer new injuries to back, neck, face, head, shoulder, nerve damage, denied bunion removal surgery on both feet, surgery on hernia's for over two years. Back surgery despite constant falls, repeatedly no pain medication were effective. Actual injuries occurred.

GROUND (OR) ISSUE, NOTE TWO

DR DAVID BALL USE OF UNNECESSARY EXCESSIVE FORCE VIOLATING EIGHTH AMENDMENT OF U.S. CONSTITUTION

- 20) On approximately February 5, 2019 Defendants DR. BALL said "MR. Brooks come in medical Department Room I recognize you do not consent to treatment from me as you told Mr. Magyar, I will not touch you. Just roll up your pants legs so I can see your Knees."
- 21) MR. Brooks did so, ~~Dr~~ David Ball said "MR. Potope, MR. Magyar, DR. Buschman informed me your the inmate that teach inmates (patient) how to file grievance's and Civil Action against me, it's that why your denying medical treatment to day."
- 22) Your medical Record show you need Knee Replacement surgery for nearly Four years that why you Fall repeatedly cause you to harm yourself with new injuries.
- 23) Since you help prisoner file grievance against MR. Magyar, MR. Potope, DR. Buschman, Complex warden, MR. Hall your got shit coming not in wheel chair, nor cane don't care how bad you need you a stupid nigger.
- 24) I hate toughing Old Cripple Homosexual, you cant refuse treatment Nigger I hate your Race) You be sorry if I do your surgery I'm the only surgeon for Knees boy.

- 25) MR. DAVID BALL said "Most of the white male prisoners will never file grievances, or lawsuits against me, but you nigger file civil actions but are so stupid to do grievances first, so the court dismiss there civil action.
- 26) Now you are teaching them how to exhaust Administrative Remedies against me and medical Department employee DR. DAVID BALL grab a largest surgical Needle that were so thick and started stabbing Needle into Knees
- 27) Repeatedly Stabbing into Flesh and bones the blood pain poured the Needle damage shut up nigger Old Faggot you'll never get pain relief A chair, wheel Chair, nor see a neurologist I hate jail house Lawyer nigger
- 28) The intentional infliction of pain the battery the large thick Needle were a weapon it cause physical harm that constitute a battery to recklessly causes bodily injury to MR. Brooks without justification non-combatant plaintiff.
- 29) There were no need to stab plaintiff 12 or 13 times with violence force in-and-out repeatedly creating a large stab wounds in both Knees done with willful and wanton intent DR. BALL willful and malicious wrong your Old nigger Faggot STAFF snitch.
- 30) MR. Brooks you are trying to get Prisoner's complaints to terminate my contract with F BOP, get my medical License, you tried to file a class action against I read it and it was trashed.
- 31) Plaintiff severe pain in both Knees has Nerve damage DR. BALL terrorist threats shut up nigger your crying like a bitch if you snitch it's no telling what going to happen to you when I do your surgery you might make it five.
- 32) The Excessive Force violated Eighth amendment when it is not applied in an effort to maintain or restore discipline it was used to maliciously and sadistically cause harm DR. BALL responsible
- 33) For unnecessary and wanton infliction of pain, infliction of mental and emotional distress violating Eighth amendment Right Constitution.

GROUND(S) ISSUE NOT THREE

DEFENDANTS MR. HALL, MR. RAKOWSKI COMMITTED

RETALIATION

- 34) On Approximately May 31, 2019 and June 13, 2019 incidents occurred near these two dates. Prior to these incident MR. HALL terrorist threats that he would place MR. Brooks in solitary confinement because MR. Brooks (plaintiff) repeatedly file prison grievances against MR. Hall, MR. MUGGAR, POTAGE, RADAMEL, complex Captain MR. Hall On Approximately

35. March 21, 2019, May 1, 2019 Inter Alia all Administrative Remedies Filed against MR. Hall, MR. Rakowski, Radamel, will list dates, even the MR. BROOKS Staff messages to staff executive on inmate computer institutional systems must be reviewed.

36. MR. Hall prior to incidents said "we told you not to assist Tomiko Robinson in Filing grievances Against Dr. Morris, MR. Gibson, Dr. William to AECs, IAD, FBOP-Director AFTER Tomiko Robinson got Rape by inmate and

37. Physical Assaulted by male guard in special housing Unit, you defy me & comments so I will allow MR. Rakowski to pepper spray ass, I will not get your three Asthmatic inhaler either we know you have

38. Pepper Allergies so we will not give you Fresh Air before we spray gas you made your bed so lay in it, I warn you MR. Brooks MR. Rakowski girl friend is Ms. Edward the same female that place a incident report against that why your now in SHU Unit.

39. So if you die - you die, MR. Rakowski is allowed to pepper spray you the enter SHU Unit I will keep you ass in that cell if you die you die you'll die you I will keep the Air Vent on the ventilation open either you sign document.

40. To withdraw all your Complaints Against me, MR. Rakowski, Dr. Ball, Complex warden, MR. Magyar, Pope, Dr. Buschman or I promise the next time another prisoner get gas. I will order MR. Rakowski

41. The enter SHU Unit so pepper spray fumes will go under your doors so every nigger smart mouth will know who is in charge, you'll never get out of cell to Fresh Air in Out Recreation yard I promise
INCIDENT

42. On approximately 5/31/2019 MR. Hall told MR. Rakowski to pepper spray massive amounts of gas in special housing Unit were plaintiff reside if plaintiff don't withdraw his Complaints on 5/31/2019 and 6/13/2019 Inter Alia Approximately.

43. On approximately 5/31/2019 MR. Rakowski said "You knew Ms. Edward is my ~~son~~ Female Friend and you went to Education Department to disrespect her, so for that alone is enough, for me to Kick your ass

44. Plaintiff (MR. Brooks) your a Non-resisting/non-combative but I will pepper spray a inmate at another cell down the hall with massive amounts without cutting off the ventilation

45. All the pepper spray fumes will come in your cell you die, I know from Magyar of your pepper Allergies, Ms. Woods, pharmacy supervisor told me you need your 3 Asthmatic inhaler but

46. I rather see you die from gas, he yall s see I hate Homosexuals like you, Muslim like you Transgenders like Tomiko Robinson that

47) you file prison grievances for, I retrieve your Civil Actions Complaints you attempts to file in Federal Court against me and MR. Hall named I track that shit. Now taste the

48) pepper spray, Nigger like you muslim should be executed especially Faggots, Transgenders like you and Robinson." said MR. Rakowski the pepper spray cause MR. Brooks (plaintiff)

49) To Fall from standing position unconsciousness he hit his head, shoulder, back, neck, knee, feet injury the massive gas smelled for 6 hours and it denied medical care.

50) MR. Hall witness MR. Brooks in cell unconscious and MR. Hall said while your in SHU Unit each time another inmate get gased or peppered that is resisting order massive tear gas spray so

51) YOUR AS WILL Fall Unconscious IF you die - you die your never get your Asthmatic inhalers or Fresh Air you or your cellmate can bang, scratch on cell door while waiting from unconsciousness I will not let ~~you~~ let you out of cell occurred on approximately 5/31/2019, 6/13/2019. Both time plaintiff nearly died.

52) The excessive force above violated Eighth amendment right when not applied in an effort to maintain or restore discipline it was used to maliciously and sadistically cause harm unnecessary pain or infliction of pain were knowingly, intentional on two different dates 5/31/19 and 6/13/2019 and other dates approximately.

GROUND (or) ISSUE NO. # FOUR

PLAINTIFF SIMILAR SITUATED & RETALIATION APPROPRIATE

53) On Approximately December 23, 2019 plaintiff denied equal protection clause/establish clause and First amendment right when MR. Magyar, MR. H. Quay, MR. Potope, MR. Radamel, Charles E. Samuel JR (AKA) Federal Bureau of Prisons

54) MR. Rakowski, MR. Hall DR. David, DR. Buschman, denied MR. Brooks (plaintiff) equal protection when inmate Ahmad Mohammad AJAT and petitioner's or plaintiff both suffer abdominal problems, Michael Nixon also need diagnose ~~more~~ by medical doctor

55) As needing immediate feet surgery on One Foot, similar MR. Brooks (plaintiff) diagnose by medical doctor with needing immediate surgery on both knees, both feet bottoms. All three inmate resided at Allenwood Penitentiary. Despite Plaintiff and inmate Ahmad Mohammad AJAT

- 56) Are max custody prisoners at Challenge program. Mr. ADAM is treated more favorable than similar situated plaintiff Mr. Brooks. When Mr. ADAM receive Almond milk, protein juice drinks, mattress, single cell statutus, Legal Attorney outgoing calls, proper effective medications
- ~~57) MR. Brooks similar situated treated disfavorable denied Almond milk, protein juice drinks, mattress, single cell statutus, Legal Attorney outgoing calls, proper effective medications, to~~
- 57) MR. Brooks similar situated treated disfavorable denied Almond milk, protein juice drinks, mattress, single cell statutus, Legal Attorney outgoing calls, proper effective medications, to
- 58) Treatment to similar situated are not rationally related to a legitimate government purpose. Mr. Magyar said "I hate snitches like you Brooks I respect a Arab terrorist muslim) he got balls, instead of (you a old nigger Homosexual muslim), you been Filing
- 59) Grievances on me and Radamel told me you File a 28 USC 1331 Civil Action Against Medical Staff and Mr. Radamel trashed it before it reached the Federal Court now we are going take more than half
- 60) Your wage so you cant File ~~From~~ Civil Actions Against US I will Take or Charge 2 dollars for Chronic Care visitation each time you come to medical Dept Co-pay when it's Against FBOP 6031.02, 6031.04, 1210.24 I hate staff Rats, Old Cripple homosexuals like you" see: 28 CFR 549.70, 549.71
- 61) That why I did not Report Dr. David Ball battery Against you and denied you prothesis, I delay surgery to keep you in pain unless you withdraw your grievances, Civil Actions against all defendants you'll never get pain medications never receive surgery like Michael Nixon Reg. NO. 47211-066 on his One Foot I transfer him to Butner (Medical Facility) After Reclassification to Care Level 4, but I can do the same for
- 62) You if you just withdraw your Complaints sign here, I promise you'll be treated more favorable. If you renounce you Islamic Sunni (Muslim) Religion. Become a Christian the true religion I promise you will receive All proper medical treatment. said Mr. Magyar. Violating Establishment Clause"
- 63) Mr. Brooks (plaintiff) became a Christian to the tremendous pain & suffering Mr. Magyar said "If you were not a muslim, defendant would not deny you equal protection" said Mr. Magyar. Violating "Continuing Violation Doctrine".

GROUND (OR) ISSUE NO# FIVE

- 64) ~~On October 10, 2019 approximately~~ DENIED SERIOUS MEDICAL NEED ~~defendants denied plaintiff~~ prothesis after surgery cause plaintiff to fall on left knee injuries pain to knee left, back, neck, arm The plaintiff both knees diagnosed by the physicians Dr. MoGerman, Dr. David Ball mandating treatment
- 65) Surgery on both knees plaintiff pleaded, begged for surgery for

- 66) surgery, prostheses, pain medication for hear Four years approximately denied cause plaintiff to fall on 10/10/2019, repeatedly before and after on so many dates cause harm for delay in treatment.
- 67) Defendant Dr. David Ball, Dr. Buschman, Mr. Magyar, Mr. Potope, Mr. H. Quay, would have supplied a wheel chair on 10/9/2019 the injuries would not occurred 10/10/2019 out side medical Department.
- 68) Dr. David Ball said "I told you I would punish you for helping inmates Filed grievance on me then you file Battery charges Against me me and Mr. Magyar, Mr. Potope, Mr. H. Quay, Mr. Hall
- 69) at meeting said "we will never give you prosthesis dont care how many time you fall old nigger homosexual until you sign signature slip to withdraw your statements in grievances
- 70) Complaints to OIG, IAD, FBOP employees especially medical Department member you never get proper pain medication Mr. Magyar said since you fell on 10/10/2020
- 71) we give you a wheel chair, but you must return it in days if you fall against homosexual old man I hope you bust your head open and die your a staff rat,
- 72) On 10/13/2020 approximately plaintiff fell out side of his 1-Bunk Between 6:00 AM - 7:30 AM. After H. Quay, Mr. Potope, Mr. Magyar, Charles & Samuel Jr, Mr. Hall seized
- 73) Need Wheel Chair need to be mobile denied serious medical need surgery on left knee, both feet (bunions) diagnose by physician as mandating treatment that plaintiff
- 74) need surgeries to prevent repeated falling while attempting to walk with a cane, when both legs, both feet severe pain cause harm. plaintiff suffer neck and back, knee, feet nerve damage had wheel chair not been seized plaintiff would not had fell on dates of incident the unnecessary and wanton inflicting of pain
- 75) Plaintiff medical condition disables the prisoner and interferes with daily activities in assessing seriousness medical records confirm plaintiff rushed to medical Department after falls above dates, Defendants seizure of wheel chair violating ADA, Rehabilitation

- 76) act, defendants denied plaintiff hrs. 3 meals a day when plaintiff were unable to walk to dining hall to obtain hrs medicals for 10 days or more approximately
- 77) defendant denied MRI scan, neurologist examinations on neck, back, knee's, feet do to pain Mr. H. Quay, Potope, Magyar, Dr. Ball refuse to do medical excessment on injuries on dates of injuries above.
- 78) On approximately November 23, 2019 do to Chronic back pains, Neck pain, Nerve damage in Knees, back outside food service do to previous went untreated. Medical staff Mr. Trump
- 79) Placed plaintiff on stretcher unable to stand up, denied effective pain medication, back brace, neck brace, Mr. Trump said "I made calls to Mr. Magyar, H. Quay if you dont sign signature on document
- 80) To withdraw your statements against medical staff I cant give you shot, not a pain shot, if you refuse to withdraw the civil action you mail out legal mail against
- 81) us 56 in S.I. A agent possession your legal mail were open your suing medical staff, etc I will put you in SHU unit you cant deny treatment we will beat your ass.
- 82) You fell on 1/2/2019 we rush you to the outside hospital on the stretcher to the emergency unit. You fell 5/31/19, 6/13/19, 10/10/19 7/3/19, 7/9/19, 7/11/19 in SHU unit but Mr. Rakowski, Mr. Hall, Magyar, Potope, Charles S. Samuel Jr
- 83) told all Medical Department not to respond to your back, neck injuries, etc. H. Quay on 7/29/19 took you mattress, legal materials so you stop trying to sue him so if you withdraw
- 84) Filing Civil Action against Dr. Ball, Charles ~~Samuel~~ Samuel Jr, Ms. Edwards, Rakowski, Mr. Hall, Magyar, H. Quay I promise you they in return would classification (or) classify you a care level 4.
- 85) transfer you to Medical facility like they did Michael Nixon, you'll get immediate surgeries for your hernia's, knees, feet, back, neck (therapy), we will get you a back brace, continue your Gabapentin effective medication they will
- 86) Let you die Mr. Brooks said Mr. Trump.
- 87) Defendants denied Dr. Albright, Dr. Mogergerman, Dr. — Gastroenterologist to properly perform surgery, treatment interfered with treatment once

- 88) prescribed Doctor's prescribe Orthopedic sneakers, medications, surgery, but defendants refuse to provide doctor deviated from accepted medical practice (that defendant also breached a duty of care that failure to properly treat continuing violation doctrine)
- 89) Proximately caused Plaintiff injuries. BOP Director of the Bureau of Prison were deliberately indifferent to Mr. Brooks serious medical need by failing to insure prisoner
- 90) got ~~the~~ the medical treatment needed. Violating Constitution years of delay were unjustified intentionally denying to medical care
- 91) Intentionally interfering with the treatment once prescribed medical condition significantly affects daily activities and the existence of chronic and substantial pain renders plaintiff bedridden, defendants disregard an excessive risk to inmate health and safety.
- 92) Plaintiff continuous self-reporting he is labeled a nuisance his falls, pains, Blackout, unconsciousness, chronic back pain, Feet (bone removal surgery, Knee surgery, Back surgery still not done) falls on May 22, 2020 in cell 231
- 93) Not reported terroristic threats FROM Ms. Edwards to infect Plaintiff with COVID-19 when she get infected so your old ass Homosexual nigger will die your the first I will infect I told inmates your a child molest prevent Government informant so your
- 94) ~~the~~ Sunni muslim brothers will kill you, BCF members will kill you, now I will tell Challenge Program staff and guards your a prevent that snitch to executive I'm bring illegal narcotic into the institution
- 95) to inmates these staff will pepper spray you so what, you got allergies to pepper, asthmatic I hope you die. Like when my boy friend Rokowski killed your ass
- 96) Two or Three times from the pepper spray you cried like a bitch you almost die you tell unconscious, I only have to lie and put you in SHU unit so we can gas your ass to death it
- And over nigger we will get away IF I'm infected COVID-19 I will infect you first so your old ass will die I will visit you first I have your nigger.
- 97) with it we always do. said "Ms. Edwards on 5/22/2020 see surveillance video tapes.
- 98) I Charles Aaron Brooks declare foregoing is true and correct to best of my knowledge information and belief. 28 USC 1746, is sworn to on 5/25/2020

05/18/2020

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

C. What date and approximate time did the events giving rise to your claim(s) occur? Continuing violation
Doctrine 2/5/2019, 5/31/2020, 6/13/2020, 10/10/2019, 10/13/2019, 11/23/2019
8/22/2020 Approximately Medical Records sworn Affidavit
of Charles Aaron Brooks under Commercial Truth signed Under
Penalty of Perjury 1/2/2019

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?) Inmate Hassan Ward, inmate
Fred Bey, Dr. Mogeraman, ANSAFI Dockery, Dr Albright, Robert E. Purcell
Dr. Elizabeth Stahl, Bannall pharmacy supervisor
Jr. MD, Brian O. Buchman, Brooke Wood, Thomas Albright MD Charles Muchnik
MD, Pedro Amber, Jeffrey A. Mogeraman, Carey, Rhea, Jacob Bowling.
Ms. Sierra Shamer (Lewisburg Prison Project) Darrin Howard, Susan Mowatt's
(therapist) Teresa Boatman, Dr. Stylz (Female Russian medical Doctor), Dr.
Mylistiffer (AT) Tucson Penitentiary, Inmate Coyle, Taylor, Butler, Charles Brooks
at Challenge program,

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. Diagnosed as needing immediate surgeries

on both Knees since 2015 the year only receive surgery Left Knee today after surgery on 10/10/19
plaintiff denied prothesis Fell on Left Knee, ~~NO DAMAGE~~, right Knee damage back, neck
pain denied treatment. Await Surgery on Right Knee, await surgery on Feet, bunions, diagnosed as
needing bunion removal surgery on both Feet not received, back surgery ~~needed~~ ~~needed~~ ~~needed~~
therapist discontinued therapy and only said "only Back surgery will relieve the back pain."
Neck therapy denied, not receive neurologist do to nerve damage, inguinal hernia, hiatal
hernia (severe pain) Not receive MRI scans, orthopedic sneaker, back brace, Cat Scan on
head injury, impair vision, Grand mal seizure blackouts, body shakes, abdominal pains, digestive
pains, heart Examination continuous Chest and heart pains, respiratory problem no treatment, not
receiving effective medications, Almond milk, mattress, Protein Juice drinks, enzyme meds, lactose
intolerant medication, Acid reflex medications, back brace, orthopedic sneakers
Single cell statobus, medically classification care level 4.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes.

If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims. Compensatory damage 2 million dollars to plaintiff,

Punitive damage 2 million dollars to plaintiff, nominal damage One dollar award to plaintiff by
defendants also defendants pay all taxes Court Cost, Filing Fees, Fines owed by plaintiff, all
surgery on bunions on both Feet be performed at reason time, orthopedic non-steel toe sneaker
be supplied immediately, proper effective pain relief Gabapentin 600 mg, Synovia medication,
Taiogen medication, VeraFlex medication, Almond milk, Protein Juice drinks, effective
lactase enzyme medication better quality than PBOP Commissary sales
effective Lactose intolerant medication, Neurologist Examination on Knees, neck, ~~back~~
back, single cell statobus (pain in handicapp disable Accessible cell). Surgery on both Knees
back therapy and neck, back brace, neck brace. (Plaintiff be granted injunction relief)
25 yrs reduction of sentence, all 28 USC 1915 (g) strikes against plaintiff ~~shall be~~
expunged to plaintiff respiratory problems (Asthma) entitle plaintiff (ARREST)
grant plaintiff Home confinement placement, to run State of Pennsylvania 7 yrs
consecutive sentence Run it currently with Federal
sentence. Keep or house plaintiff in FCI Federal Prisons (or) medical facilities
where no Covid-19 case are to keep prisoner/plaintiff health & safe not to
return to Federal Penitentiary. All restrictions by FBOP be expunged.

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

FBOP Failure to Respond, Wait response From Regional Office of General Counsel, MR. Houser, MR. Arnold, MR. Radamel Refuse to Process grievances, deny plaintiff exhausting of Remedy Forms, loss and destroy legal mail etc

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

All defendants Impeded Mr. Brooks rights to exhaust Administrative Remedies unconstitutional to render Grievance process unavailable Plaintiff File grievance on this issue.

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☒ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

Canaan Prison, Florence Prison, Terre Haute Prison, Tucson Prison, Beaumont Prison, Hazelton Prison, Coleman Prison, Victorville Prison, Atwater Pen

2. What did you claim in your grievance? *Violation of ADA, Rehabilitation Act,*

architectural barriers Act, denied handicapped accessible cell, shower ~~room~~ medical facilities, seizure of wheel chair needed to (be mobile) force inmate to crawl on knees, feet for years, freezing account, conversion, taking clause, contract clause, 1st, 5th, 8th, 14th Amendment Rights of U.S. Const. etc

3. What was the result, if any?

Nothing / but retaliation / Campaign Harassment defendants violating "Continuing Violations Doctrine"

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

defendants would not turn grievance from Regional office over to office of General Counsel BP-10, BP-11, denied grievance forms would transfer prison to another prison, or beat with battery to punish plaintiff from continuing grievances process, Retaliated with restrictions on commissary denied access to the Court, unable to purchase U.S. Post stamps, paper, pens, pencils, legal copies, legal envelopes hygienic items defendant unlawfully frozen / freeze account / encumbrance funds for 3 1/2 years approximates violating BP. ~~1210.24, 1040.04, 1600.11, 1600.12, 1600.13, 2000.02, 3000.03, 3713.24, 3713.25, 3713.26, 3713.27, 3713.28, 3713.29, 3713.30, 6031.02, 6031.04, 2807R 549.73, 3420.09, 3420.10, 3420.11.~~

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Defendants violated Fair debt collection practice Act, electronic Fund transfer Act, national labor relation act, unfair Fraudulent Transfer Act, Truth in lending Act,
F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

Defendants impeded Plaintiff rights to exhaust rendered
Exhausting Remedies unavailable including Failure of Defendants
to Respond to Plaintiff grievances he Filed, transferred before
Fully complete exhaustion. deny grievances forms, Defendants destroy grievances
Plaintiff Filed Complaints to below against Defendant at every prison.

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

Complex Wardens, complex Captain, A. WIS OIG office, IAD Office, FROP Director, Ms. Dianne Feinstein, Bob Casey, (OIG Agent) Ronald Gardella, Joint Commission, medical Board, to Barbara Boxer, Congress men & congress women, senator's state Police Department near Federal Prisons, letter to Federal Court at every Federal Prisons nearest Prisons, CMC Officer, S. I. Agents, see: Inmate institutional computer system staff messages of Mr. Brooks to all prison officials at each Federal Prison self reporting.

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Defendants Fraudulent concealments of there unconstitutional practices that are in conflict with FROP Program statements, CFR, DOJ Regulation Medical Board regulation in each state brutally use of unnecessary excessive force starvation, placed in unsafe environments to punish Plaintiff for attempting to exhaust violating 28 USC 2680(h), 28 USC 1346(b)(1), 18 USC 4042, 18 USC 3050, 18 USC 3621(g), 18 USC 2201, 242, 1512, 42 USC 1981, 1982, 1985, 1986.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☒ Yes

☐ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

Various Federal Court Filing under 28 USC 1915(g) see: attached
"Plaintiff memorandum of law in support of 28 USC 1331 Civil Action". Attached.

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- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

N/A

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

N/A

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

NO

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes☒ No

If no, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

05/18/2020

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

5/25/2020

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

CHARLES AARON BROOKS
49230-066
700 BOX 3000
WHITE DEER, PA 17887
City State Zip Code

B. For Attorneys

Date of signing:

5/22/2020

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

N/A
N/A
N/A
N/A
N/A
N/A
City State Zip Code

Pro se Prepared by Williams & Williams

surveillance video tape on 5/22/2020, 2A Unit between 8:00am-3:30pm
 Ms. Edwards BOP Employee terrorist threats that "IF she
 get infected with COVID-19 she would infect
 MR. BROOKS because ~~you~~ old and she wants him
 to die" said Edwards.

C.C. File
FOR the Honorable
Clerk

Charles Aaron Brooks

REG. NO. 49230-066

U.S.P. Allenwood Penitentiary

P.O. Box 3000

White Deer, Pa 17887

FILED
SCRANTON

JUN 08 2020

PER [Signature]
DEPUTY CLERK

to: Honorable ~~Honorable~~ Deputy Clerk
235 North Washington Avenue
P.O. Box 1148
Scranton, Pa
[18501-1148]

informa peris
Certified Trust
Fund statement
will be Foreward
to you

pro-se
is following
Court Rule

Dear Honorable Deputy Clerk

LETTER OF INSTRUCTION

Respectfully its said any Attached Exhibits or Additional page need not be copied or duplicated. IF I'm wrong please inform plaintiff.

Do to the institutional Lock down or - Federal "National Lockdown" see Attached Exhibit to the page next page, and the Covid-19 pandemic it default to receive Copies or Obtain Copy of Financial Statement will be mailed to you later my Counselor not in right Now. I Promise I will mail it, this situation made it so impossible to properly File. As you know Allenwood Penitentiary were I reside impliment a New ~~PROP~~ procedure to copy All incoming mail / Legal mail is photo-copy and the Original documents are destroyed to stop the K-2, Narcotics, from coming prison now they claim the Currency, or Contraband is mail out legal mail. ~~so~~ The FBOP is Open Up legal mail to the Court I mail out to the Court despite the "Mail Box Rules". The New system violate Constitutional Rights, which is in Conflict with 28 CFR, CFR, FBOP 1210.24, Federal U.S. Postal Mail Crimes. The plaintiff ~~to~~ told 17 different time by mistake staff loss his legal Mail, Special Mail, Normal Mail. 28 SWORN Affidavits of Truth of 28 inmates that observe, witness Abuse to plaintiff signed under penalty of perjury 28 USC 1746

**Information for Inmate
Population (06-02-2020)**

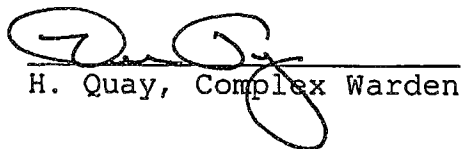
SUBJECT: National Lockdown

As you have seen in news reports, many communities are facing difficulties as a result of violent demonstrations and looting. In response, we placed the institution on lockdown over the weekend to determine if the events in the community would impact Allenwood. After assessing the situation, our intent was to resume modified COVID operations and we began resuming activities yesterday. However, due to continuing threats in the community, the BOP has implemented a National Lockdown. To ensure the safety and security of BOP institutions, all facilities have been locked down.

We do not have a time frame for the length of the lockdown but do not anticipate it to be long-term. In the meantime and as long as all inmates continue to act appropriately, the institution will continue to provide daily hot meals and will make arrangements to proceed with commissary shopping. Showers will be provided in accordance with normal lockdown procedures. Additionally, staff from various departments will continue to make unit rounds to address issues.

As previously indicated, when we are able to resume modified COVID operations, additional out of cell activity is being considered. You will be advised of changes to the schedule when finalized.

This is a challenging time but the safety and security of staff and inmates remains our highest priority. We appreciate your continued cooperation and patience as we work through this situation.


H. Quay, Complex Warden

Charles Aaron Jacobs
Reg No. # 99830-066
VSP Allentown Penitentiary
P.O. Box 3000
White Deer, Pa 17887

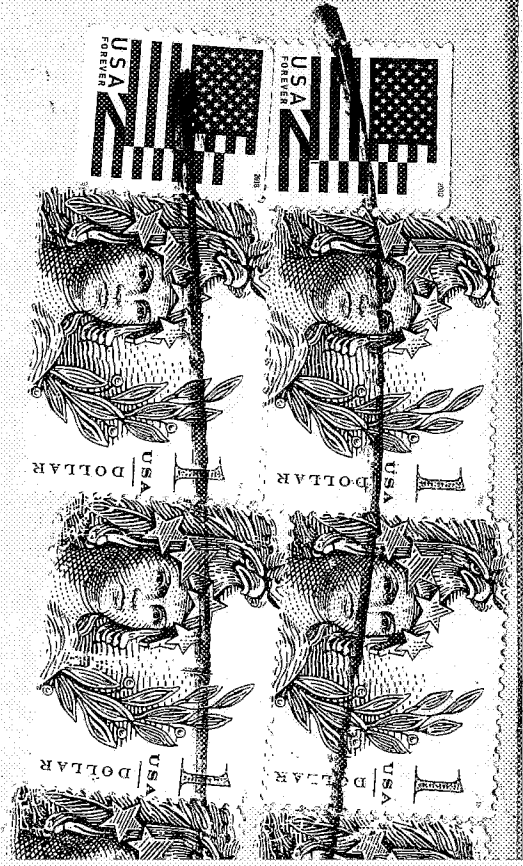
RECEIVED
SCRANTON

JUN 08 2020

PER K7C
DEPUTY CLERK

Mailed from US Penitentiary

JUN 04 2020



United States District Court
for the
MIDDLE DISTRICT OF PENNSYLVANIA
235 North Washington Avenue
P.O. Box 1148
Scranton, PA
[18501-1148]